

# AMENDMENTS TO CONSTITUTION OF MISSOURI

ADOPTED NOVEMBER 5, 2002

## HOUSE JOINT RESOLUTION 11 [HS HJR 11]

**CONSTITUTIONAL AMENDMENT No. 1.** — (Proposed by the Ninety-first General Assembly, First Regular Session) Shall the Missouri Constitution be amended so that the citizens of the City of St. Louis may amend or revise their present charter to provide for and reorganize their county functions and offices, as provided in the constitution and laws of the state?

**JOINT RESOLUTION** Submitting to the qualified voters of Missouri, an amendment repealing sections 31, 32(a) and 32(b) of article VI of the Constitution of Missouri relating to the city of St. Louis, and adopting four new sections in lieu thereof relating to the same subject.

### SECTION

- A. Enacting clause.
- 31. Recognition of city of St. Louis as now existing, both as a city and as a county.
- 32(a). Amendment of St. Louis charter.
- 32(b). Revision of charter of St. Louis.
- 32(b). Revision of charter of St. Louis — officers to complete terms and staff given opportunity for city employment.
- 32(c). Retirement, effect of revisions.

*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2002, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article VI of the Constitution of the state of Missouri:

**SECTION A. ENACTING CLAUSE.** — Sections 31, 32(a) and 32(b), article VI, Constitution of Missouri, are repealed and four new sections adopted in lieu thereof, to be known as sections 31, 32(a), 32(b) and 32(c), to read as follows:

**SECTION 31. RECOGNITION OF CITY OF ST. LOUIS AS NOW EXISTING, BOTH AS A CITY AND AS A COUNTY.** — The city of St. Louis, as now existing, is recognized both as a city and as a county unless otherwise changed in accordance with the provisions of this constitution. As a city it shall continue for city purposes with its present charter, subject to changes and amendments provided by the constitution or by law, and with the powers, organization, rights and privileges permitted by this constitution or by law. **As a county, it shall not be required to adopt a county charter but may, except for the office of circuit attorney, amend or revise its present charter to provide for the number, kinds, manner of selection, terms of office and salaries of its county officers, and for the exercise of all powers and duties of counties and county officers prescribed by the constitution and laws of the state.**

**SECTION 32(a). AMENDMENT OF ST. LOUIS CHARTER.** — The charter of the city of St. Louis now existing, or as hereafter amended or revised, may be amended **or revised for city or county purposes** from time to time by proposals therefor submitted by the lawmaking body of

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the city to the qualified voters thereof, at a general or special election held at least sixty days after the publication of such proposals, and accepted by three-fifths of the qualified electors voting for or against each of said amendments **or revisions** so submitted. [Any such amendments so accepted shall take effect immediately, except as therein otherwise provided.]

**[SECTION 32(b). REVISION OF CHARTER OF ST. LOUIS.** — The lawmaking body of the city may order an election by the qualified voters of the city of a board of thirteen freeholders of such city to prepare a new or revised charter of the city, which shall be in harmony with the constitution and laws of the state, and shall provide, among other things for a chief executive and a house or houses of legislation to be elected by general ticket or by wards. Such new or revised charter shall be submitted to the qualified voters of the city at an election to be held not less than twenty nor more than thirty days after the order therefor, and if a majority of the qualified voters voting at the election ratify the new or revised charter, then said charter shall become the organic law of the city and shall take effect, except as otherwise therein provided, sixty days thereafter, and supersede the old charter of the city and amendments thereto.]

**SECTION 32(b). REVISION OF CHARTER OF ST. LOUIS — OFFICERS TO COMPLETE TERMS AND STAFF GIVEN OPPORTUNITY FOR CITY EMPLOYMENT.** — **In the event of any amendment or revision of the charter of the city of St. Louis which shall reorganize any county office and/or transfer any or all of the duties, powers and functions of any county officer who is then in office, the officer shall serve out the remainder of his or her term, and the amendment or revision of the charter of the city of St. Louis shall take effect, as to such office, upon the expiration of the term of such office holder. In the event of any amendment or revision of the charter of the city of St. Louis which shall reorganize any county office and/or transfer any or all of the duties, powers and functions of any county officer, all of the staff of such office shall be afforded the opportunity to become employees of the city of St. Louis with their individual seniority and compensation unaffected and on such other comparable terms and conditions as may be fair and equitable.**

**SECTION 32(c). RETIREMENT, EFFECT OF REVISIONS.** — **An amendment or revision adopted pursuant to section 32(a) of this article shall not deprive any person of any right or privilege to retire and to retirement benefits, if any, to which he or she was entitled immediately prior to the effective date of that amendment or revision.**

**EXPLANATION** — Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

Adopted November 5, 2002. (For — 1,173,822; Against — 516,584)  
Effective December 5, 2002.

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#### **SENATE JOINT RESOLUTION 24 [HCS SJR 24]**

**CONSTITUTIONAL AMENDMENT No. 3.** — (Proposed by the Ninety-first General Assembly, Second Regular Session) Shall Article III, Section 8 of the Missouri Constitution be amended to exclude, from the calculations of term limits for members of the General Assembly, service of less than one-half of a legislative term resulting from a special election held after December 5, 2002?

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**JOINT RESOLUTION** Submitting to the qualified voters of Missouri an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits.

SECTION

- A. Enacting clause.
- 8. Term limitations for members of General Assembly.

*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2002, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article III of the Constitution of the state of Missouri:

**SECTION A. ENACTING CLAUSE.** — Section 8, article III, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 8, to read as follows:

**SECTION 8. TERM LIMITATIONS FOR MEMBERS OF GENERAL ASSEMBLY.** — No one shall be elected [or appointed] to serve more than eight years total in any one house of the General Assembly nor more than sixteen years total in both houses of the General Assembly. In applying this section, service in the General Assembly resulting from an election [or appointment] prior to [the effective date of this section] **December 3, 1992, or service of less than one year, in the case of a member of the house of representatives, or two years, in the case of a member of the senate, by a person elected after the effective date of this section to complete the term of another person,** shall not be counted.

**EXPLANATION** — Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

Adopted November 5, 2002. (For — 879,162; Against — 740,941)  
Effective December 5, 2002.

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**HOUSE JOINT RESOLUTION 47 [SS SCS HCS HJR 47]**

**CONSTITUTIONAL AMENDMENT No. 4.** — (Proposed by the Ninety-first General Assembly, Second Regular Session) Shall joint boards or commissions, established by contract between political subdivisions, be authorized to own joint projects, to issue bonds in compliance with then applicable requirements of law, the bonds not being indebtedness of the state or political subdivisions, and such activities not to be regulated by the Public Service Commission?

**AN ACT** Submitting to the qualified voters of Missouri, an amendment repealing section 27 of article VI of the Constitution of Missouri relating to political subdivision revenue bonds for utility, industrial and airport purposes, and adopting one new section in lieu thereof relating to the same subject.

SECTION

- A. Enacting clause.
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27. Political subdivision revenue bonds for utility, industrial and airport purposes—restrictions.  
B. Official ballot title.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2002, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article VI of the Constitution of the state of Missouri:

**SECTION A. ENACTING CLAUSE.** — Section 27, article VI, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 27, to read as follows:

**SECTION 27. POLITICAL SUBDIVISION REVENUE BONDS FOR UTILITY, INDUSTRIAL AND AIRPORT PURPOSES — RESTRICTIONS.** — Any city or incorporated town or village in this state, by vote of a majority of the qualified electors thereof voting thereon, and any joint board[,] or commission, [officer or officers] established by a joint contract between municipalities or political subdivisions in this state, by [favorable vote of a majority of the qualified electors voting thereon in each of the municipalities or political subdivisions which are to participate in a project described in this subsection] **compliance with then applicable requirements of law**, may issue and sell its negotiable interest bearing revenue bonds for the purpose of paying all or part of the cost of purchasing, construction, extending or improving any of the following **projects**:

- (1) Revenue producing water, sewer, gas or electric light works, heating or power plants;
- (2) Plants to be leased or otherwise disposed of pursuant to law to private persons or corporations for manufacturing and industrial development purposes, including the real estate, buildings, fixtures and machinery; or
- (3) Airports[; to].

**The project shall** be owned by the municipality or by the cooperating municipalities or political subdivisions **or the joint board or commission**, either exclusively or jointly or by participation with cooperatives[,] **or** municipally owned or public utilities, the cost of operation and maintenance and the principal and interest of the bonds to be payable solely from the revenues derived by the municipality or by the cooperating municipalities or political subdivisions **or the joint board or commission** from the operation of the utility or the lease **or operation** of the [plant. No such joint board, commission, officer or officers established by a joint contract, or any joint venture or cooperative action or undertaking of any kind or character shall purchase, construct, extend or improve any revenue producing gas or electric light works, heating or power plants unless and until such joint boards, commissions, officer or officers, or any joint venture or cooperative action and all utility operations conducted by any joint board, commission, officer or officers are fully regulated in all respects as a public utility.] **project. The bonds shall not constitute an indebtedness of the state, or of any political subdivision thereof, and neither the full faith and credit nor the taxing power of the state or of any political subdivision thereof is pledged to the payment of or the interest on such bonds. Nothing in this section shall affect the ability of the public service commission to regulate investor-owned utilities.**

**SECTION B. OFFICIAL BALLOT TITLE.** — Pursuant to section 116.155, RSMo, the official ballot title shall be:

"Shall joint boards or commissions, established by contract between political subdivisions, be authorized to own joint projects, to issue bonds in compliance with then applicable requirements of law, the bonds not being indebtedness of the state or political subdivisions, and such activities not to be regulated by the Public Service Commission?"

Pursuant to section 116.155, RSMo, the fiscal note summary shall be:

"This measure provides potential savings of state revenue and imposes no new costs."

**EXPLANATION — Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

Adopted November 5, 2002. (For — 927,715; Against — 678,137)  
Effective December 5, 2002.

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**AMENDMENTS TO CONSTITUTION OF MISSOURI****DEFEATED NOVEMBER 5, 2002****CONSTITUTIONAL CONVENTION****SUBMITTED BY MATT BLUNT, SECRETARY OF STATE**, regarding Constitutional Convention.Defeated November 5, 2002. (For — 569,598; Against — 1,079,085)

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**CONSTITUTIONAL AMENDMENT 2****INITIATIVE PETITION** regarding Collective Bargaining for Firefighters.Defeated November 5, 2002. (For — 840,493; Against — 881,395)

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**PROPOSITION A****INITIATIVE PETITION** regarding Cigarette Tax.Defeated November 5, 2002. (For — 881,701; Against — 912,210)

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**AMENDMENTS TO CONSTITUTION OF MISSOURI****DEFEATED AUGUST 6, 2002****PROPOSITION A****PROPOSED BY THE EIGHTY-NINTH GENERAL ASSEMBLY (SECOND REGULAR SESSION)**  
**RESUBMITTED BY THE GOVERNOR** regarding Wireless 911.Defeated August 6, 2002. (For — 318,875; Against — 600,274)

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**PROPOSITION B****PROPOSED BY THE NINETY-FIRST GENERAL ASSEMBLY (SECOND REGULAR SESSION)**  
regarding transportation tax.Defeated August 6, 2002. (For — 255,575; Against — 674,779)

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